

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

10 UNITED STATES OF AMERICA, )  
11 Plaintiff, ) CASE NO. 06-115M  
12 v. )  
13 RAUL MENDOZA-MARTINEZ, ) DETENTION ORDER  
14 Defendant. )  
15

**Offense charged:**

## Possession of Cocaine with the Intent to Distribute

Date of Detention Hearing: March 16, 2006

19 The Court, having conducted a contested detention hearing pursuant to Title 18  
20 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention  
21 hereafter set forth, finds that no condition or combination of conditions which the defendant  
22 can meet will reasonably assure the appearance of the defendant as required and the safety  
23 of any other person and the community. The Government was represented by Lisca  
24 Borichewski. The defendant was represented by Lee Covell.

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**DETENTION ORDER**  
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1           FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

- 2           (1) There is probable cause to believe the defendant committed the drug  
3           offense. The maximum penalty is in excess of ten years. There is  
4           therefore a rebuttable presumption against the defendant's release based  
5           upon both dangerousness and flight risk, under Title 18 U.S.C. §  
6           3142(e).
- 7           (2) Defendant is viewed as a risk of nonappearance. He is a citizen of  
8           Mexico with no significant ties to the Western District of Washington.  
9           The defendant's unstable resident history and lack of employment give  
10           further reason of concern of nonappearance.
- 11           (3) Due to the nature of the instant offense, the Court finds defendant to be a  
12           risk to the community.

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14           **It is therefore ORDERED:**

- 15           (1) The defendant shall be detained pending trial and committed to the  
16           custody of the Attorney General for confinement in a correction facility  
17           separate, to the extent practicable, from persons awaiting or serving  
18           sentences or being held in custody pending appeal;
- 19           (2) The defendant shall be afforded reasonable opportunity for private  
20           consultation with counsel;
- 21           (3) On order of a court of the United States or on request of an attorney for  
22           the Government, the person in charge of the corrections facility in which  
23           the defendant is confined shall deliver the defendant to a United States  
24           Marshal for the purpose of an appearance in connection with a court  
25           proceeding; and

(4) The clerk shall direct copies of this order to counsel for the United States, to counsel for the defendant, to the United States Marshal, and to the United States Pretrial Services Officer.

DATED this 16<sup>th</sup> day of March, 2006.

  
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MONICA J. BENTON  
United States Magistrate Judge